

## REMARKS/ARGUMENTS

In the Office Action mailed August 27, 2007, claims 1 – 9 were rejected. In response, Applicants have amended claims 1 – 9. Applicants hereby request reconsideration of the application in view of the amended claims and the below-provided remarks.

For reference, claims 1 – 9 are amended to remove the reference numbers. Additionally, claim 1 is amended to recite “An apparatus” instead of “Apparatus.”

Additionally, the paragraph on page 2, lines 12 – 14 is deleted to remove any direct reference to claim numbers in the specification.

### **Response to Claim Rejections**

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Li (U.S. Pat. No. 5,792,956). Additionally, claims 2 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li in combination with Ezell (U.S. Pat. No. 6,771,124) and further in combination with Del Signore et al. (U.S. Pat. No. 6,002,355, hereinafter Del Signore). However, Applicants respectfully submit that these claims are patentable over Li, Ezell, and Del Signore for the reasons provided below.

#### **Independent Claim 1**

Claim 1 recites:

“An apparatus comprising a level shifter connectable to a signal input for receiving an input signal with a negative signal swing, said level shifter providing for a DC shift of said input signal to provide an output signal with positive signal swing, said level shifter comprising: an amplifier having a first input, a second input, and an output, a first capacitor, a second capacitor, a reference voltage supply, ***and a transistor serving as a switch***, wherein said first capacitor is arranged between said signal input and said first input, said second capacitor is arranged in a feedback-loop between the output and said first input, said reference voltage supply is connectable to said second input, and wherein ***said transistor is arranged in a branch that bridges the second capacitor, whereby a control signal is applicable to a gate of said transistor in order to allow the level shifter to be reset from time to time.***” (emphasis added)

As indicated above, claim 1 recites a transistor serving as a switch. For example, in Fig. 1 of Applicants' specification, the transistor (14) is arranged in a branch that bridges the second capacitor (C2).

Applicants assert that claim 1 is not anticipated by Li because Li does not disclose a transistor as recited in claim 1. Additionally, Applicants point out that the transistor of claim 1 is not addressed in the Office action, see item 2, pages 2 – 3. Because Li does not disclose a transistor, Applicants assert that claim 1 is not anticipated by Li.

#### Dependent Claims 2 – 9

Claims 2 – 9 are dependent on claim 1. Applicants respectfully assert that claims 2 – 9 are allowable at least based on an allowable claim 1. Additionally, Applicants assert that claims 5 – 9 are not rendered obvious from Li in view of Ezell and Del Signore for the reasons provided below.

Claim 4 recites in part “**a controller** for receiving digital information from to the analog-to-digital converter, said digital information representing the voltage level, **said controller providing a signal to adjust the effective capacitance.**” Applicants assert that claim 4 is not rendered obvious from Li in view of Ezell and Del Signore because neither Ezell nor Del Signore teach the limitations of claim 4. Additionally, Applicants point out that the limitations of claim 4 are not addressed in the Office action, see item 4, page 3. Because neither Ezell nor Del Signore teach the limitations of claim 4, Applicants assert that a *prima facie* case of obviousness has not been established.

Claim 5 recites in part “receiving a digital signal from **a controller.**” Applicants assert that claim 5 is not rendered obvious from Li in view of Ezell and Del Signore because neither Ezell nor Del Signore teach the limitations of claim 5. Additionally, Applicants point out that the limitations of claim 5 are not addressed in the Office action, see item 4, page 3. Because neither Ezell nor Del Signore teach the limitations of claim 5, Applicants assert that a *prima facie* case of obviousness has not been established.

Claim 6 recites in part “**a bias current source** with a network having a plurality of transistors, resistors, and a reference current source.” Applicants assert that claim 6 is not rendered obvious from Li in view of Ezell and Del Signore because neither Ezell nor Del Signore teach the limitations of claim 6. Additionally, Applicants point out that the

limitations of claim 6 are not addressed in the Office action, see item 4, page 3. Because neither Ezell nor Del Signore teach the limitations of claim 6, Applicants assert that a *prima facie* case of obviousness has not been established.

Claim 7 recites in part “wherein one of ***the transistors is a cascode transistor*** which is arranged with respect to one of the other transistors so as to absorb any voltage beyond a supply voltage, if the input signal falls below 0V.” Applicants assert that claim 7 is not rendered obvious from Li in view of Ezell and Del Signore because neither Ezell nor Del Signore teach the limitations of claim 7. Additionally, Applicants point out that the limitations of claim 7 are not addressed in the Office action, see item 4, page 3. Because neither Ezell nor Del Signore teach the limitations of claim 7, Applicants assert that a *prima facie* case of obviousness has not been established.

Claim 8 recites in part “***ESD protection means*** being adapted to handle negative voltage swings at the signal input.” Applicants assert that claim 8 is not rendered obvious from Li in view of Ezell and Del Signore because neither Ezell nor Del Signore teach the limitations of claim 8. Additionally, Applicants point out that the limitations of claim 8 are not addressed in the Office action, see item 4, page 3. Because neither Ezell nor Del Signore teach the limitations of claim 8, Applicants assert that a *prima facie* case of obviousness has not been established.

Claim 9 recites in part “wherein the ESD protection means comprise ***a first diode, a second diode, and a third diode***, said first diode being situated between the signal input and a supply node, said second diode being situated between the supply node and a substrate, and said third diode being situated between the supply node and the substrate.” Applicants assert that claim 9 is not rendered obvious from Li in view of Ezell and Del Signore because neither Ezell nor Del Signore teach the limitations of claim 9. Additionally, Applicants point out that the limitations of claim 9 are not addressed in the Office action, see item 4, page 3. Because neither Ezell nor Del Signore teach the limitations of claim 9, Applicants assert that a *prima facie* case of obviousness has not been established.

## CONCLUSION

Applicants respectfully request reconsideration of the claims in view of the amendments and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-3444** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-3444** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

/mark a. wilson/

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Mark A. Wilson  
Reg. No. 43,994

Wilson & Ham  
PMB: 348  
2530 Berryessa Road  
San Jose, CA 95132  
Phone: (925) 249-1300  
Fax: (925) 249-0111